

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

UNITED STATES OF AMERICA

CRIMINAL NO. 07-CR-60054

VS.

JUDGE DOHERTY

KEVIN FORREST

MAGISTRATE JUDGE HANNA

ORDER

1. Dr. Glenn W. Ahava, Ph.D. is hereby appointed as the Court's expert, pursuant to Rule 706, FRE, to conduct a psychological examination of the defendant and to report thereon to the court as required by 18 USC 4247(b) and (c).

2. The examination will be conducted where Kevin Forrest is held, exact location to be provided to Dr. Ahava immediately by counsel for defendant, Randal P. McCann by telefax at 337-865-2339. The examination will occur on a date and time to be selected by Dr. Ahava, but as soon as is reasonably practicable, and continuing thereafter until completed.

3. If Dr. Ahava determines that the services of a consulting psychiatrist is necessary or advisable, he is to notify the court immediately.

4. Dr. Ahava's report shall be completed pursuant to the provisions of 18 USC 4247(c) and after its completion shall be filed with the court, **under seal**, with copies furnished to counsel for the government and the defendant. The report shall include

- (1) the defendant's history and present symptoms;

- (2) a description of the psychiatric, psychological, and medical tests that were employed and their results;
- (3) the examiner's opinions as to diagnosis, prognosis;
- (4) whether defendant is suffering from a mental disease or defect as a result of which his release would create a substantial risk of bodily injury to another person or serious damage to the property of another; and
- (5) if the defendant has recovered such that his release would not create a substantial risk of bodily injury to another person or serious damage to the property of another, whether he should be released unconditionally or subject to conditions as set forth in 18 U.S.C. §4247(e).

5. Any and all medical providers and/or record custodians, including psychiatric centers, therapists, doctors, psychologists, psychiatrists, nurses, aides or others are **hereby ordered** to provide to Dr. Ahava, at his request, full and complete copies (certified if possible) of any and all medical, psychological or psychiatric records in their care, custody or control concerning the defendant, Kevin Forrest, including, by way of example, reports of examinations, test results, consultation notes, diagnoses, impressions or examination notes. This order specifically includes any and all such records in the possession of the United States Military, whether or not such records relate to defendant's military service, if any.

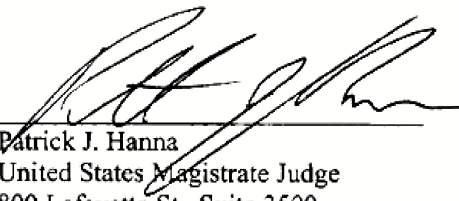
6. Any and all such records furnished by Dr. Ahava in compliance with this Order will be held in confidence by Dr. Ahava, and are not to be disclosed to any person without authorization by the court, *provided however*, that Dr. Ahava may refer to

any such record provided to him in completing the report required hereby.

7. Because Dr. Ahava has been appointed under the Court's authority to appoint expert witnesses pursuant to Rule 706 FRE, Dr. Ahava is to submit his claim for fees and expenses incurred in performing the tasks ordered herein, and for any testimony that may be required, to the Assistant United States Attorney assigned to this case. See: *In Re: Payment of Court-Appointed Expert Witnesses - Criminal Proceedings*, 59 Comp. Gen. 313 (1980).¹

8. The Clerk shall provide a copy of this Order to counsel for the parties and the Dr. Glenn W. Ahava, Ph.D., by fax at 866-865-2339.

Signed in Lafayette, Louisiana, this 20th day of July, 2010.



Patrick J. Hanna
United States Magistrate Judge
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Lafayette, Louisiana 70501
(337) 593-5140 (phone) 593-5155 (fax)

¹The United States Attorney has lodged an objection to the payment of Dr. Ahava's fees and expenses.